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12 [Additional Counsel Listed on Next Page]

14 UNITED STATES DISTRICT COURT  
15 EASTERN DISTRICT OF CALIFORNIA - FRESNO DIVISION

17 GAIL MALLARD-WARREN, M.D.,

18 Plaintiff,

19 v.

20 SAINT AGNES MEDICAL CENTER, THE  
MEDICAL STAFF OF SAINT AGNES  
21 MEDICAL CENTER and TRINITY HEALTH  
INC., NANCY HOLLINGSWORTH, and  
22 DOES 1-100,

23 Defendants.

Case No. 1:21-cv-01530-JLT-BAM

**JOINT STIPULATION AND  
[PROPOSED] ORDER TO EXTEND  
TIME CONCERNING INITIAL  
DISCLOSURES, FILE RESPONSIVE  
PLEADINGS AND TO ESTABLISH  
RELATED DEADLINES IN ORDER TO  
PERMIT PARTIES TO PARTICIPATE  
IN MEDIATION**

**(E.D.L.R. 144(a))**

Judge: Jennifer L. Thurston  
Magistrate Judge: Barbara A. McAuliffe

Date Action Filed: October 15, 2021  
Trial Date: None Set

[Additional Counsel from Prior Page:]

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CORPORATION, erroneously sued as TRINITY HEALTH INC., AND NANCY  
HOLLINGSWORTH



1           8.       On March 10, 2022, the Court issued a Minute Order stating that the Motion to  
2 Dismiss and Joinder Motion would be decided on the papers and no hearing would be calendared.  
3 The Court further informed the parties that due to a significant backlog it “may still be many  
4 months until the motion in this matter is resolved.”

5           9.       On March 22, 2022, the parties filed the Joint Stipulation to Extend Time  
6 Concerning Initial Disclosures, File Responsive Pleadings and to Establish Related Deadlines.

7           10.      On April 12, 2022, the Court issued an order granting the Joint Stipulation and set  
8 (1) the deadline for Plaintiff to file an Opposition to the Motion to Dismiss as May 12, 2022,  
9 (2) the deadline for Defendants to file an anti-SLAPP motion, if any, as May 31, 2022; (3) the  
10 deadline for Defendants to file Replies in support of the Motion to Dismiss as May 25, 2022; and  
11 (4) the Parties’ deadline for serving Initial Disclosures as June 6, 2022.

12          11.      On May 13, 2022, the parties filed a further Joint Stipulation to Extend Time  
13 Concerning Initial Disclosures, File Responsive Pleadings and to Establish Related Deadlines.

14          12.      On May 13, 2022, the Court issued an order granting the Joint Stipulation and set  
15 (1) ) the deadline for Defendants to file an anti-SLAPP motion, if any, as July 8, 2022; (2) the  
16 deadline for Defendants to file Replies in support of the Motion to Dismiss as July 25, 2022; and  
17 (3) the Parties’ deadline for serving Initial Disclosures as July 15, 2022.

18          13.      On June 30, 2022, the parties submitted a further Joint Stipulation and [Proposed]  
19 Order to extend time concerning initial disclosures, file responsive pleadings and establish related  
20 deadlines. This stipulation stated that one of the principal attorneys at ArentFox Schiff responsible  
21 for representing the Medical Staff of Saint Agnes Medical Center had recently left the firm and  
22 that additional time was needed for other ArentFox Schiff to become familiar with the matter, and  
23 that the parties were engaged in good faith efforts to explore a potential mediation.

24          14.      Pursuant to that stipulation, the Court entered an Order on July 5, 2022, setting the  
25 following dates:

26               a.      Defendants’ deadline for filing an anti-SLAPP Motion, if any, was extended  
27 to July 25, 2022;

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b. Defendants' deadline for filing Replies in support of the Motion to Dismiss remained as July 25, 2022; and

c. The Parties' deadline for filing Initial Disclosures was extended to August 15, 2022.

15. Upon return of Plaintiff's counsel from vacation on July 3, 2022, the parties continued the mediation discussions. The parties have agreed to participate in a mediation, as well as identifying a mutually agreeable mediator or mediators. The parties are working on scheduling of the mediation, but believe that due to the mediators' schedules such mediation may not occur until September or October, 2022. The parties believe that judicial economy and convenience for the parties and the Court will be served by permitting the parties to devote their time and resources to mediation and postpone other matters. The parties request these extended times to allow the mediation to be completed and, if settlement is achieved, to be finalized.

16. Pursuant to the stipulation and consistent with efforts to preserve the resources of the parties and the Court, the parties respectfully request that the Court further extend those deadlines as follows:

a. Defendants' deadline for filing an anti-SLAPP Motion, if any, shall be extended from July 25, 2022 to October 28, 2022.

b. Defendants' deadline for filing Replies in support of the Motion to Dismiss shall be extended from July 25, 2022 to October 28, 2022.

c. The Parties' deadline for filing Initial Disclosures shall be extended from August 15, 2022 to November 15, 2022.

d. Pursuant to Judge Thurston's minute order (Doc. 22), no hearing date will be calendared.

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**STIPULATION**

IT IS HEREBY STIPULATED by the parties and their respective undersigned attorneys that, subject to the Court's approval, the following deadlines be extended as set forth herein:

- a. Defendants' deadline for filing an anti-SLAPP Motion, if any, currently set as July 25, 2022, shall be extended to October 28, 2022.
- b. Defendants' deadline for filing Replies in support of the Motion to Dismiss currently set as July 25, 2022, shall be extended to October 28, 2022.
- c. The parties' deadline for filing Initial Disclosures currently set as August 15, 2022, shall be extended to November 15, 2022.
- d. Pursuant to Judge Thurston's minute order (Doc. 22), no hearing date will be calendared.

Dated: July 14, 2022

**LAW OFFICES OF DANIEL HOROWITZ**

By: /s/DANIEL HOROWITZ\*\*  
DANIEL HOROWITZ  
Attorneys for Plaintiff

Dated: July 14, 2022

**LAW OFFICES OF WILLIAM C. HAESY**

By: /s/WILLIAM C. HAESY\*\*  
WILLIAM C. HAESY  
Attorney for Defendants Saint Agnes Medical  
Center, Trinity Health Corporation, and Nancy  
Hollingsworth

Dated: July 14, 2022

**ARENTFOX SCHIFF LLP**

By: /s/ DEBRA J. ALBIN-RILEY  
DEBRA J. ALBIN-RILEY  
Attorneys for Defendant The Medical Staff  
of Saint Agnes Medical Center

\*\* As authorized July 14, 2022.

**ORDER**

The Court having considered the parties' Joint Stipulation to Extend Time Concerning Initial Disclosures, File Responsive Pleadings and to Establish Related Deadlines in Order to Permit Parties to Participate in Mediation and for good cause shown, **HEREBY ORDERS AS FOLLOWS:**

- a. Defendants' deadline for filing an anti-SLAPP Motion, if any, currently set as July 25, 2022, shall be extended to October 28, 2022.
- b. Defendants' deadline for filing Replies in support of the Motion to Dismiss currently set as July 25, 2022, shall be extended to October 28, 2022.
- c. The parties' deadline for serving Initial Disclosures currently set as August 15, 2022, shall be extended to November 15, 2022.
- d. Pursuant to Judge Thurston's minute order (Doc. 22), no hearing date will be calendared.

IT IS SO ORDERED.

Dated: July 15, 2022

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE